

SHARON C. COLLIER (State Bar No. 203450)
Sharon.Collier@fmglaw.com
FREEMAN MATHIS & GARY, LLP
1255 Treat Blvd., Suite 300
Walnut Creek, CA 94597
T: (925) 466-5904
F: (833) 335-7962

Attorneys for Defendant COSTCO WHOLESALE CORPORATION

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

RAFAELA JACQUEZ, an individual,

Plaintiffs,

v.

COSTCO WHOLESALE MEMBERSHIP, INC.,
a California Corporation, ROBERT
FERGUSON, and individual, and DOES 1
through 100, inclusive,

Defendants.

Case No.

[Contra Costa County Superior Court Case
No. C22-00945]

**DECLARATION OF SHARON C.
COLLIER IN SUPPORT OF
DEFENDANT COSTCO
WHOLESALE CORPORATION'S
NOTICE OF REMOVAL TO
FEDERAL COURT PURSUANT TO
28 U.S.C. § 1441(b) [DIVERSITY]**

Complaint Filed: May 6, 2022

I, Sharon C. Collier, declare and state as follows:

1. I am an attorney licensed to practice in the State of California and am admitted to practice before the United States District Court for the Northern District of California. I am a Partner of the law firm of Freeman, Mathis & Gary. This firm has been retained to represent COSTCO WHOLESALE CORPORATION ("Costco"), which has been named as a defendant in a civil matter venued in Contra Costa County Superior Court of California as Case No. C22-00945.

2. I make this Declaration in support of Defendant Costco Wholesale Corporation's Notice of Removal to Federal Court Pursuant to 28 U.S.C. section 1441(b) [diversity]. I have personal knowledge of the matters set forth in this Declaration, and if called upon to do so, I could

1 and would testify competently to same.

2 3. Plaintiff RAFAELA JACQUEZ (“Plaintiff”) filed a Complaint for compensatory
3 damages on May 6, 2022, in the Contra Costa County Superior Court. I understand Costco was
4 served with the Summons and Complaint on May 25, 2022. A true and correct copy of the
5 Summons and Complaint that Costco received is attached to the Request for Judicial Notice served
6 herewith as **Exhibit A**.

7 4. In conjunction with the Complaint, Costco also received s Statement of Damages
8 totaling \$400,000.

9 5. Costco is contemporaneously filing an Answer to the Complaint in Case No. C22-
10 00945 of the Contra Costa County Superior Court. A true and correct copy of the Answer is
11 attached to the Request for Judicial Notice served herewith as **Exhibit B**.

12 6. Costco is the only named defendant to be served in this matter to date. I am not
13 aware of Plaintiff effectuating service on the “Doe” defendants or the named individual defendant,
14 ROBERT FERGUSON.

15 7. Costco Wholesale is a corporation formed and organized under the laws of the State
16 of Washington. A true and correct copy of the Amended Statement of Designation by a Foreign
17 Corporation evidencing Costco’s citizenship in the State of Washington is attached to the Request
18 for Judicial Notice served herewith as **Exhibit C**.

19 8. Defendant Costco’s principal place of business is 999 Lake Drive, Issaquah,
20 Washington 98027. A true and correct copy of the Statement of Information filed by Costco on
21 June 27, 2019 with the California Secretary of State is attached to the Request for Judicial Notice
22 served herewith as **Exhibit D**. This document evidences that Costco maintains its headquarters and
23 principal place of business in the State of Washington.

24 9. Plaintiff alleges she is a resident of Contra Costa County in the State of California in
25 her Complaint.

26 10. Costco has been put on notice that Plaintiff allegedly sustained injuries to her person
27 in the accident at issue, as alleged in the operative Complaint.

28 ///

11. Based on the allegations in the Complaint and the Statement of Damages, I believe the amount in controversy exceeds the jurisdictional minimum of this Court.

12. Costco's Notice to Adverse Parties of Notice of Removal is being contemporaneously filed in Case No. C22-00945 of the Contra Costa County Superior Court.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. This Declaration was executed on June ***, 2022, in Danville, California.

Dated: June 23, 2022

FREEMAN MATHIS & GARY, LLP

By: Sharon C. Collier
Sharon C. Collier
Attorneys for Defendant COSTCO
WHOLESALE CORPORATION

CERTIFICATE OF SERVICE

I declare that I am employed in the County of Contra Costa, State of California. I am over the age of eighteen years at the time of service and not a party to the within cause. My employment address is 1255 Treat Blvd, Suite 300, Walnut Creek, CA 94597 and my electronic service address is javi.brantley@fmglaw.com.

On June 23, 2022, I served copies of the attached document(s) entitled:

DECLARATION OF SHARON C. COLLIER

on the interested parties in this action, by placing a true and correct copy thereof enclosed in a sealed envelope, addressed as follows:

Robert L. Booker II
864 S. Robertson Blvd., 3rd Fl
Los Angeles, Ca 90035

Attorney for Rafaela Jacquez

E-mail: Robert@CPLGLaw.com
Soheil@CPLGLaw.com

ý **BY ECF.** Pursuant to rule 5 of Federal Rules of Procedure, I served the attorneys of record by filing on the Court's ECF system.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Executed on June 23, 2022 at San Francisco, California.

/s/ Javier Alexandria Brantley
Javier Alexandria Brantley